

REMARKS

In response to the Office Action mailed March 8, 2004, the Applicant respectfully requests reconsideration.

Applicant notes with appreciation the allowance of claims 4, 5, 7, 20, 21, 23, 33, 34 and 36 if rewritten in independent form to include all limitations of base claims and intervening claims.

1. Telephone Interview

Applicant and Applicant's representatives Daniel P. McLoughlin and Steven J. Henry appreciate the courtesy of Examiner Johnna Stimpak and Mr. Tariq Hafiz in granting and conducting a telephone interview on June 16, 2004. As indicated in the Interview Summary mailed June 22, 2004, Applicant's representatives attempted to clarify the meaning of the term "rater reputation" in the claims. In response, Examiner Stimpak and Mr. Hafiz suggested incorporating limitations from dependent claims into the independent claims. Although Applicant does not believe it is necessary to add limitations from the dependent claims into the independent claims to distinguish them over the asserted art, Applicant has done so by this amendment, the reasons for which are explained below.

2. Claims 1, 6-10 and 14-17 are in Condition for Allowance

Claim 1 stands rejected (Section 4) under 35 U.S.C. §103(a) as purportedly being unpatentable over "Collaborative Reputation Mechanisms in Electronic Marketplaces" by Giorgos Zacharia (Zacharia). Further, claim 5 stands objected to (Section 6) as being dependent upon rejected base claim 1, but would be allowable if rewritten in independent form to include all of the limitations of claim 1 and any intervening claims (in this case, none).

Applicant respectfully disagrees with the rejection of claim 1 under §103(a). However, to avoid further delay in the prosecution of this application, Applicant has amended claim 1 as shown above to include the limitations recited in claim 5, and for clarification. The Examiner should note that claim 1 as amended does not recite an exact serial concatenation of the limitations recited in claims 1 and 5. Rather, Applicant has combined the limitations of claims 1 and 5 as appropriate for clarity.

In view of the foregoing, claim 1 as amended patentably distinguishes over Zacharia. Accordingly, Applicant respectfully requests that the rejection of claim 1 under §103(a) be

withdrawn. Claims 6-10 and 14-17 each depend from independent claim 1 and are patentable for the same reasons. Accordingly, Applicant respectfully requests that the rejection of these claims under §103(a) be withdrawn.

3. Claims 11 and 22-30 are in Condition for Allowance

Claim 11 stands rejected (Section 4) under 35 U.S.C. §103(a) as purportedly being unpatentable over Zacharia. Further, claim 21 stands objected to as being dependent upon rejected base claim 11, but would be allowable if rewritten in independent form to include all of the limitations of claim 11 and any intervening claims (in this case, none).

Applicant respectfully disagrees with the rejection of claim 11 under §103(a). However, to avoid further delay in the prosecution of this application, Applicant has amended claim 11 as shown above to include the limitations recited in claim 21, and for clarification. The Examiner should note that claim 11 as amended does not recite an exact serial concatenation of the limitations recited in claims 11 and 21. Rather, Applicant has combined the limitations of claims 11 and 21 as appropriate for clarity.

In view of the foregoing, claim 11 as amended patentably distinguishes over Zacharia. Accordingly, Applicant respectfully requests that the rejection of claim 11 under §103(a) be withdrawn. Claims 22-30 each depend from independent claim 11 and are patentable for the same reasons. Accordingly, Applicant respectfully requests that the rejection of these claims under §103(a) be withdrawn.

4. Claim 12 is in Condition for Allowance

Claim 12 stands rejected (Section 4) under 35 U.S.C. §103(a) as purportedly being unpatentable over Zacharia.

Applicant respectfully disagrees with the rejection of claim 12 under §103(a). However, to avoid further delay in the prosecution of this application, Applicant has amended claim 12 as shown above. Specifically, Applicant has amended claim 12 to recite a system for ascribing a ratee reputation in a first entity, the system comprising, *inter alia*, **means for receiving an initial ratee reputation indicating a ratee reputation of the first user prior to the reception of the first rating;** and means for generating a ratee reputation of the first entity by **generating a ratee reputation adjustment from the first rater reputation, the first rating and the initial rater reputation and adding the ratee reputation adjustment to the initial ratee reputation.** For

at least the reasons set forth in Section 6 of the Office Action, Zacharia fails to disclose the limitations emphasized above.

In view of the foregoing, claim 12 as amended patentably distinguishes over Zacharia. Accordingly, Applicant respectfully requests that the rejection of claim 12 under §103(a) be withdrawn.

5. Claims 13 and 35-43 are in Condition for Allowance

Claim 13 stands rejected (Section 4) under 35 U.S.C. §103(a) as purportedly being unpatentable over Zacharia. Further, claim 34 stands objected to (Section 6) as being dependent upon rejected base claim 13, but would be allowable if rewritten in independent form to include all of the limitations of claim 13 and any intervening claims (in this case, none).

Applicant respectfully disagrees with the rejection of claim 13 under §103(a). However, to avoid further delay in the prosecution of this application, Applicant has amended claim 13 as shown above to include the limitations recited in claim 34, and for clarification. The Examiner should note that claim 13 as amended does not recite an exact serial concatenation of the limitations recited in claims 13 and 34. Rather, Applicant has combined the limitations of claims 13 and 34 as appropriate for clarity.

In view of the foregoing, claim 13 as amended patentably distinguishes over Zacharia. Accordingly, Applicant respectfully requests that the rejection of claim 13 under §103(a) be withdrawn. Claims 35-43 each depend from independent claim 13 and are patentable for the same reasons. Accordingly, Applicant respectfully requests that the rejection of these claims under §103(a) be withdrawn.

6. New Claims 44-65 Patentably Distinguish Over the Art of Record

As noted above, claims 4, 20 and 33 would be allowable if rewritten in independent form to include all limitations of the independent base claim and any intervening claims.

Claim 44 represents claim 4 rewritten to include the limitations of independent claim 1 and intervening claims 2 and 3. The Examiner should note that claim 44 does not recite an exact serial concatenation of the limitations recited in claims 1-4. Rather, Applicant has combined the limitations from claims 1-4 as appropriate for clarity.

Similarly, new claim 51 represents claim 20 rewritten to include the limitations from independent claim 11 and intervening claims 18 and 19, and claim 59 represents claim 33

rewritten to include limitations recited in independent claim 13 and intervening claims 31 and 32. The Examiner should note that, for each of these new claims, the claim does not recite an exact serial concatenation of the limitations recited in the respective base and intervening claims. Rather, Applicant has combined limitations from these claims as appropriate for clarity.

Claim 58 represents claim 12 amended for clarification and to recite, *inter alia*, "means for generating a ratee reputation of the first entity by **calculating a weighted average of the ratings, including weighting each rating with the rating reputation of the respective second entity that provided the rating.**" As conceded in the Office Action (Section 6), Zacharia fails to include specific calculations for weighted average.

In view of the foregoing, Applicant respectfully submits that claims 44-65 patentably distinguish over the art of record, including Zacharia.

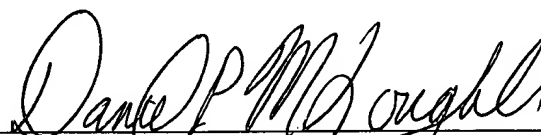
CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
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